

**FY12 SECTION 106 WORKPLAN (Underline one): Draft or Final**

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**Date of latest workplan revision:** 06/23/117/29/2011

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**Goal 2 – Protecting America’s Waters**  
**Goal 5 – Enforcing Environmental Laws**

Task No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/ Outcome	Due Date	EPA Comments	Mid & End-of-Year State Report/State Comments <i>Enter the task completion date or explain the delay/issues.</i>
1.a.	Conduct a sufficient number of inspections each quarter, based on the FY12 Compliance Monitoring Strategy (Strategy), developed as part of the FY11 106 Workplan task 1b to assure inspection commitments are met. All inspections must be entered into ICIS-NPDES to count toward the State’s commitment.  <b><u>Conventional Facilities (includes municipal, federal, and industrial WWTPs):</u></b>  <b>Majors: 100%/2 years (minimum is 50%/year)</b>  <b>Universe of Major facilities:</b>  <b>Minors: Once/5 years (minimum is 20%/year)</b>  <b>Universe of minor facilities;</b>	40 C.F.R. § 123.26, FY-11-13 National Enforcement Initiatives, Goal 5 of the 2011-2015 Strategic Plan, Oct 17, 2007, NPDES Compliance Monitoring Strategy for Core Programs and Wet Weather Sources	Conduct inspections/audits Enter completed inspections into ICIS.  Include specifics from FY12 Strategy once the Strategy is received.  102 203	10/01/11-09/30/12	Goal 5 of the Strategic Plan is entitled, “Enforcing Environmental Laws  Comprehensive inspections are: CEI, CSI, PAL, CBI, and XSI.	
			61			
			305			

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	General facility inspections: 15% of the General permit universe annually.		74			
	Universe of General permitted facilities:		490			
	<b>Stormwater (SW) Facilities:</b> Phase I MS4 Audits: Once/5 years from issuance of EPA’s Guidance dated 10/17/07 (minimum is 20%/year)					
	Universe of Phase I MS4 Facilities: 27 Phase I MS4s with 220 co-permittees					
	Phase I MS4 Audits:					
	Phase I MS4 Inspections: As Needed		6 Phase I MS4 Audits			
	Phase II MS4 Audits & Inspections: Once/7 yrs from issuance of EPA’s Guidance dated 10/17/07					
	Universe of Phase II MS4 Facilities: 131 Phase II MS4s					

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## Goal 5 – Enforcing Environmental Laws

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	<p><b>Phase II MS4 Audits:</b></p> <p><b>Phase II MS4 Inspections: As Needed</b></p> <p>Industrial SW: 10%/year of the permitted Phase I universe</p> <p><b>Universe of Industrial SW Facilities: 2064 MSGPs and 670 NEXs = 2734</b></p> <p><b>Industrial SW Inspections:</b></p> <p>Phase I &amp; Phase II Construction is 10% - 5% of new NOLs received /year</p> <p><b>Universe of Phase I &amp; Phase II SW Construction Facilities: 1357</b></p> <p><b>Phase I and 1733 Phase II</b></p> <p><b>Phase I &amp; Phase II Construction SW Inspections:</b></p>		<p>20 Phase II MS4 Audits</p>			
			<p>275 Industrial SW inspections</p>			
			<p>Construction SW inspections: 136</p> <p>Phase I and 87</p> <p>Phase II</p>			



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	<b><u>Concentrated Animal Feeding Operation Facilities (CAFO):</u></b> Large and Medium Permitted CAFOs 1/5 years:		12			
	<b>Universe of Large/Medium Permitted CAFO Facilities:</b>		58			
	<b>Universe of Large Unpermitted CAFO Facilities:</b>		0			
	Medium Unpermitted CAFOs shall be assessed one time initially.					
	<b>Universe of Medium Unpermitted CAFO Facilities:</b>		0			
	Small Animal Feeding Operation (AFOs) inspections will be on an as needed basis and as resources allow, based upon complaints.					
	<b>Universe of AFO facilities:</b>		0			

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EPA Comments	Mid & End-of-Year State Report/State Comments
	<p><i>Enter the task completion date or explain the delay/issues.</i></p>

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1.b.	Prepare and submit a Compliance Monitoring Strategy (Inspection Plan in MOA) for FY13 (10/01/12-09/30/13). The Strategy shall be consistent with EPA Memorandum dated October 17, 2007. In this Strategy, the State should incorporate any compliance or enforcement topics or concerns developed as a part of the State's Priority Watershed Initiatives.	40 C.F.R. § 123.26, FY-11-13 National Enforcement Initiatives, Goal 5 of the 2011-2015 Strategic Plan, Oct 17, 2007, NPDES Compliance Monitoring Strategy for Core Programs and Wet Weather Sources	Submit draft inspection plan Submit final inspection plan	05/31/12	EPA Memorandum of October 17, 2007, is entitled "Clean Water Act National Pollutant Discharge Elimination System Compliance Monitoring Strategy for the Core Program and Wet Weather Sources" Goal 5 of the Strategic Plan is entitled, "Enforcing Environmental Laws." Clarification: This requirement is for the submission of the Compliance Monitoring Strategy (Inspection Plan in MOA) and not a requirement to conduct those inspections in FY13. Inspection commitments for FY13 will be negotiated in FY12.	



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## Goal 2 – Protecting America’s Waters Goal 5 – Enforcing Environmental Laws

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1.c.	Whole Effluent Toxicity (WET): The State shall have the ability to conduct biomonitoring inspections, have a designated contractor conduct inspections, or have an equivalent program to independently verify a discharger’s compliance with WET permit requirements. The State shall describe their approach in the Strategy for FY13.	40 C.F.R. § 123.26	Submit draft of approach with draft Strategy.  Finalize and submit final Strategy.	05/31/12  07/15/12		Enter the task completion date or explain the delay/issues.
1.d.	Provide a summary of inspections conducted in FY11 to assure inspection commitments are met.	40 C.F.R. § 123.26, National Initiatives, Goal 5 of the Strategic Plan			This information will be pulled by EPA from ICIS in December following the end of the fiscal year.	
	<b>Reporting/Enforcement</b>					
2.	Submit the Quarterly Noncompliance Report (QNCR) for majors and provide a brief written annotations denoting compliance/enforcement status when a QNCR-listed permittee is determined to be in Significant Noncompliance (SNC) for 2 or more quarters by ICIS-NPDES	40 C.F.R. § 123.45 and Goal 2.2 and Goal 5 of the Strategic Plan	Submit annotated QNCR. Execute and submit copies of draft and final enforcement actions, as requested.	11/30/11* 02/28/12* 05/31/12* 08/31/12* Note: these dates are when the last QNCR report	Goal 2.2 of the Strategic Plan is entitled “Protect and Restore Watersheds and Aquatic Ecosystems” and Goal 5, entitled “Enforcing Environmental Laws” WQ-1.5.b. requires EPA to report the number and percent of major	

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	<i>* Dates dependent upon ICIS-NPDES operations; regulatory dates are noted.</i>			drops	dischargers in SNC discharging pollutants of concern on impaired waters	
3.	The Facilities Watch List (FWL) will be provided to the State on a quarterly basis. Within 15 days of the Official Watch List being posted, the State shall identify formal enforcement actions executed or issued, recommend the facility to EPA for enforcement, or provide a written explanation of either why no formal action is appropriate or the type of formal action being taken, with a projected date of action.  <i>* Due date may vary depending on the generation of the Watch List and state notification date.</i>	National Initiative; Goal 2 and Goal 5 of the Strategic Plan	Submit written FWL explanation to EPA. Submit copies of draft and final enforcement actions, as requested.	11/15/11* 02/15/12* 05/15/12* 08/15/12*	EPA Strategic Plan, Goal 2.2: Protect and Restore Watersheds and Aquatic Ecosystems and Goal 5: Enforcing Environmental Laws WQ-15.b of National Water Program Guidance Measures, requires EPA to report the number and percent of major dischargers in SNC discharging pollutants of concern on impaired waters	
4.	Upon request by EPA, submit the WET Non-Compliance Report (WET Report) on a quarterly basis along with the FWL. Within 15 days of being notified by EPA of WET Report generation, the State shall provide a written explanation for all facilities on the report that includes any violations that were not included on the report	Regional Priority and Goal 2 and Goal 5 of the Strategic Plan	Submit a written WET report explanation or refer to EPA. Execute and submit copies of draft and final enforcement actions, as			



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	(i.e. occurred since the report or are not entered into PCS/ICIS), a sufficient description of the enforcement history, present actions taken (formal and informal), including a summary of any TIE/TRE work conducted, and the dates that the violations were resolved or are expected to be resolved will be provided. Execute and submit copies of draft and final enforcement actions, as requested.		requested.			Enter the task completion date or explain the delay/issues.
	<i>* Due date may vary depending on the generation and state notification date.</i>					
5.	EPA will provide the State with the Semi-annual Statistical Summary Report (SSSR) containing information concerning the number of major dischargers with 2 or more violations of the same monthly average limitation within a 6 month period. The State will provide comments back to EPA within 30 days. <i>* Dates dependent upon ICIS-NPDES operations; regulatory dates are noted.</i>	40 C.F.R. § 123.45(b)	Submit report	02/28/12 08/31/12	EPA will generate a draft SSSR and provide the draft to the State for review and submission.	

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6.	Submit Annual Noncompliance Report (ANCR) containing information concerning the number of non-major dischargers in noncompliance. <i>* Dates dependent upon ICIS-NPDES operations; regulatory dates are noted.</i>	40 C.F.R. § 123.45(c)	Submit report	02/28/12		
7.	Upon request by EPA, submit copies of Inspection Reports in either hard or electronic form.	Regional Priorities	Submit requested copies of inspection reports.			
8.	Upon request by EPA, submit hard or electronic copies of enforcement actions.	Regional Priorities	Submit requested copies of actions.			
9.a	Submit list of CAFO facilities with permits or that are registered.	40 C.F.R. § 122.23 and National Enforcement Initiatives	Submit list	12/31/11		
9.b.	Submit a list of CAFO facilities without permits and indicate if a completed application or a Notice of Intent has been received.	40 C.F.R. § 122.23 and National	Submit list	12/31/11		

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		Enforcement Initiatives				<i>Enter the task completion date or explain the delay/issues.</i>
9.c.	Submit hard or electronic copies of all CAFE/AFOs enforcement actions.	40 C.F.R. § 122.23 and National Enforcement Initiatives	Submit quarterly	1/31/12 4/30/12 7/31/12 10/31/12		
	<b>Industrial Pretreatment Program</b>					
10.a	<u>POTW Oversight in FY12</u> Conduct Pretreatment Compliance Inspections (PCI) and Audits of active approved POTW pretreatment programs per the schedule submitted in fourth quarter of FY11 which assures that all approved active POTW pretreatment programs receive at least one Audit in each 5 year permit term (20% of approved active programs each year) and at least four PCIs during each five year permit term (80% of approved active programs each year). This schedule may be updated before February 28 to reflect latest changes in timing or specific facilities selected. Such updates should be submitted to the	40 C.F.R. § 123.26, 403, and Goal 5 of the Strategic Plan	Conduct PCI/Audits in FY12 per schedule submitted in Q4 of FY11, or per updated schedule submitted to the EPA R4 PTC prior to February 28.	10/1/11 – 9/30/12 Submit any FY12 schedule update before 2/28/12.	Goal 5 of the Strategic Plan is entitled “Enforcing Environmental Laws;”  The Region is required to report the number of federal and state inspections of POTWs w/approved pretreatment programs.	



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	EPA Region 4 Pretreatment Coordinator (EPA PTC). Enter inspections and audits conducted into PCS/ICIS-NPDES including associated data such as number of SIUs.		Enter inspection and audit information into PCS/ICIS-NPDES. (in accordance with Data Management task below)			
10.b	<u>POTW Oversight Schedule for FY13</u> In fourth quarter, submit a schedule electronically to the EPA PTC of the POTW pretreatment program PCI and Audits to be conducted in the next inspection year (FY13). If subsequent changes to the schedule occur, then they shall also be submitted electronically to the EPA PTC with line-item explanations.	40 C.F.R. § 403	Submit schedule for next FY.	08/31/12		
	This schedule (for FY13) shall reflect that 20% or more of active approved					

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	POTW programs shall receive an Audit by the end of FY13, so that all such programs are audited within 5 years. During each audit, assessment of the POTW’s inspection procedures will be made by an oversight inspection of at least two industrial users discharging to the POTW, unless the POTW has less than two industrial users.				Region 4 has adopted the OECA minimum requirement that at least two industrial users be subject to oversight inspections during each Pretreatment Audit.	
	This schedule shall also reflect that at least 80% or more of active approved POTW programs shall receive a PCI by the end of FY13, so that each program receives at least four PCIs within 5 years.				Region 4’s expectation is that field procedures for the State’s Pretreatment Audits and PCIs will follow EPA guidance for these oversight activities.	
10.c	<u>POTW Performance Reports</u> Submission of POTW pretreatment program performance reports per 40 CFR 403.12(i) shall be tracked, and 100% of submissions will be reviewed to determine if appropriate permitting and enforcement of Significant Industrial Users (SIUs) is being accomplished by POTWs. Data from these reports shall be entered into	40 C.F.R. § 403	100% reports reviewed and entered into ICIS-NPDES by the end of FY12.	As reports are reviewed.		



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	PCI/ICIS-NPDES by the end of FY12.					
10.d	SIUs Discharging to Unapproved POTWs  If SIUs are actively discharging, or pursuing discharge, to POTWs without active approved programs during FY12, then the Industrial Pretreatment Program shall perform the oversight activities required by 40 CFR 403.10(f)(2)(i) until the NPDES permit(s) for such POTWs reflect active approved programs. These SIUs and associated POTWs shall be reported to EPA as “developing programs” with the Quarterly Reporting (see below) and oversight activity shall be entered into PCS/ICIS-NPDES by the end of FY12.	40 C.F.R. § 403	Perform oversight per 40 CFR 403.10(f)(2)(i) if necessary, report findings in QR, and enter oversight activity in PCS/ICIS-NPDES by the end of FY12.	10/1/11 – 9/30/12	Does not currently apply, however necessary to include in the event SIUs are found outside of an approved program in the FY.	This is a new requirement, for the 106 Workplan; but is currently required by Rule 62-625.200(5), F.A.C.
10.e	<u>Quarterly Reporting to EPA</u>  The Industrial Pretreatment Program shall submit a quarterly report (QR) electronically to the EPA PTC. The QR shall provide the total number of	40 C.F.R. § 403	Submit complete reports on time and the program listing with the Q1 report due by February 28.	11/30/11 (for period 7/11-9/11)	Goal 2.2 and 5 of the Strategic Plan requires reporting the number of SIUs, the number of CIUs, the number of inspections and the number of audits of	



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	SIUs permitted by active approved POTW pretreatment programs as of the end of the quarter, provide an update on developing programs, and identify POTWs in reportable non-compliance (RNC) and significant non-compliance (SNC). For RNC/SNC, the criteria met for each designation will be delineated, and a description of the enforcement history, present actions, and dates that non-compliance was resolved or is expected to be resolved will be provided. Any SIUs discharging to POTWs without active approved programs shall be evaluated for SNC, reported to EPA, and published, pursuant to 40 CFR 403.10(f)(2)(i).			(for period 10/11-12/11)  5/31/12 (for period 1/12-3/12)  8/31/12 (for period 4/12-6/12)  11/30/12 (for period 7/12-9/12)	approved PT programs.	
	The first QR of the year, due February 28, shall also include a detailed listing of the active approved POTW pretreatment programs and developing programs including: Town name, POTW name(s) and associated NPDES permit number(s). For programs with multiple POTWs, the				Region 4 uses this manual reporting from the program to verify the integrity of the coding in the data system and to serve as a secondary source for its compliance evaluation in the event data entry problems are	

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	listing will also identify the key permit number for the program which is used for coding activities in PCS/ICIS-NPDES. Information for developing programs shall also include the SIU names, addresses, categorizations (if applicable); and if discharging, the SIU permit numbers used in PCS/ICIS-NPDES, the SIU permit expiration dates, and the average daily process flows (gpd).				identified. Information on a developing program is largely acquired manually.	
10.f	<u>Enforcement Actions</u> Copies of enforcement actions taken by the Industrial Pretreatment Program will be provided to the EPA PTC upon request.	40 C.F.R. § 403	Submit copies of enforcement actions.		<u>Enforcement Actions</u> Copies of enforcement actions taken by the Industrial Pretreatment Program will be provided to the EPA PTC upon request.	
	<b>Data Management –Requirements apply to <u>all</u> NPDES Dischargers, unless otherwise specified.</b>					
11.	Enter and maintain data in ICIS-NPDES for all WENDB data elements.	National Policy	Enter data into ICIS-NPDES	Enter within 15 days after the fact, except as		

**FY12 SECTION 106 WORKPLAN (Underline one): Draft or Final**

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**Goal 2 – Protecting America's Waters**  
**Goal 5 – Enforcing Environmental Laws**

Task No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/ Outcome	Due Date	EPA Comments	Mid & End-of-Year State Report/State Comments <i>Enter the task completion date or explain the delay/issues.</i>
				specified elsewhere.		
12.	Enter and maintain current effluent limits and monitoring requirements in ICIS-NPDES for all major dischargers.	National Policy	Enter data into ICIS-NPDES	30 days after the effective date of the permit		
13.	Once RIDE is promulgated, enter RIDE data elements into ICIS-NPDES, if applicable.	National Policy		Begin immediately after enactment of RIDE. Enter as permits are issued or reissued.		
14.	Each month, maintain at least 95% data entry rate for DMR parameters for facilities currently tracked under WENDB requirements.	National Policy	Enter data into ICIS-NPDES	Enter within 58 days after the end of each monitoring period.		
15.	Enter inspection data for all NPDES program areas into ICIS-NPDES	National Policy	Enter data into ICIS-NPDES	Enter within 30 days of		



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Task No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/ Outcome	Due Date	EPA Comments	Mid & End-of-Year State Report/State Comments <i>Enter the task completion date or explain the delay/issues.</i>
				completion of the inspection report, but no later than 45 days from the date of the inspection. All other information (single event violations) must be entered within 90 days of inspection so that all information is entered into ICIS-NPDES no later than 12/31/12 for FY12.		

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<b>Task No.</b>	<b>106 Workplan Task Description</b>	<b>Basis for 106 Workplan Task</b>	<b>Output/ Outcome</b>	<b>Due Date</b>	<b>EPA Comments</b>	<b>Mid &amp; End-of-Year State Report/State Comments</b> <i>Enter the task completion date or explain the delay/issues.</i>
16.	Enter and maintain data in ICIS-NPDES for all Single Event Violations, except those automatically identified by the system.	National Policy	Enter data into ICIS-NPDES	Enter data within 90 days of discovery of violation.		
17.	Enter and maintain data in ICIS-NPDES for all formal and informal enforcement actions, including penalties assessed and collected.	National Policy	Enter data into ICIS-NPDES	Enter data within 30 days of issuance of the enforcement action and penalties collected within 30 days of date of collection.		
18.	Enter and maintain NPDES compliance and enforcement schedule data in ICIS-NPDES	National Policy	Enter data into ICIS-NPDES	Enter within 30 days of issuance.		

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Task No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/ Outcome	Due Date	EPA Comments	Mid & End-of-Year State Report/State Comments <i>Enter the task completion date or explain the delay/issues.</i>
19.	Enter completion of schedule milestones into ICIS-NPDES.	National Policy	Enter data into ICIS-NPDES	Enter within 30 days of notification of completion		
20.	If storm water permit/enforcement information is not in ICIS-NPDES, submit a report containing: number of facilities inspected, number and type of action taken, and number of permitted facilities.	National Enforcement Initiative	Submit report.	02/28/12 05/31/12 08/30/12 11/30/12		
21.	Submit an updated EMS to EPA if any revisions are made to the EMS.	Regional Priority	Submit Updated EMS	60 days after finalizing revisions		
22.	Provide assistance on National Wet Weather Enforcement Strategy Implementation. EPA's wet weather initiatives are: CSOs, SSOs, stormwater, and CAFOs. EPA must conduct inspections and enforcement in these initiative areas. The States are requested to partner with EPA in the initiatives and assist EPA in reaching our goals.	Goal 5 of the Strategic Plan	EPA/State to conduct inspections; EPA to implement enforcement.	As initiatives are conducted	Goal 5 of the Strategic Plan is entitled, "Enforcing Environmental Laws"	



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